

MOTION BY SUPERVISOR MICHAEL D. ANTONOVICH

JUNE 23, 2009

Today's action involves a technical modification to recorded Tract 45023-(5). The modification will accommodate a second means of access and insure adequate connections to existing public roadways. The proposed modification, which reflects the "as-built" condition of this project, has been reviewed and approved by the County's Departments of Fire, Public Works, and Regional Planning.

I, THEREFORE, MOVE that the Board of Supervisors:

- Close the public hearing;
- Indicate that the Board has considered the Addendum along with the previously certified Final Environmental Impact Report (FEIR) for Tentative Tract Map No. 45023-(5) prepared under the California Environmental Quality Act;
- Adopt the Addendum to the FEIR;
- Indicate the Board's intent to uphold this appeal, as modified, and overturn the Regional Planning Commission's denial of the request for Modification to Recorded Tract Map No. 45023-(5), with the following additional condition:

The applicant shall provide slope, road and flood control right-of-way to the satisfaction of the Department of Public Works over Assessor Parcel Number 2840-004-012 to ensure that future development to the east can be accomplished in an orderly manner through the extension of Jakes Way, Private Drain No. 2496 and appurtenant utilities. The right-of-way shall be granted prior to the release of any of the remaining grading and improvement bonds; and

- Direct County Counsel to prepare the final findings and conditions for this Modification to Recorded Tract Map No. 45023-(5) to bring back at a future Board of Supervisor's meeting for the Board's consideration.

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MDA:pno
jakesway062309

MOTION

MOLINA _____

RIDLEY-THOMAS _____

YAROSLAVSKY _____

ANTONOVICH _____

KNABE _____